

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

EDDIE OGLETREE, an individual;)

GERALD STEPHENS, an individual)

Plaintiff,)

vs.)

CITY OF AUBURN, a municipality in The)

State of Alabama; **LARRY LANGLEY, an**)

individual; **LEE LAMAR, an individual;**)

BILL HAM, Jr., an individual; STEVEN)

A.REEVES, an individual; BILL JAMES,)

an individual; **CHARLES M. DUGGAN,**)

an individual; and **CORTEZ LAWRENCE,**)

an individual;)

Defendants,)

CIVIL ACTION NO:

3:07-cv-867-WKW

JURY TRIAL DEMANDED

MOTION TO EXTEND TIME FOR FACE TO FACE SETTLEMENT MEETING

COME NOW the Plaintiffs, through counsel, and respectfully request an extension of (2) two weeks time in which to conduct the face to face settlement meeting. As grounds, the Plaintiffs show unto the Court as follows:

1. The Plaintiffs' Summary Judgment Response Brief is due on September 2, 2008, the same day that the face to face meeting is supposed to take place.

2. Since the parties cannot engage in meaningful settlement discussions on the same day that the Plaintiffs' response is due, the meeting would be insignificant.

3. Since Plaintiffs' counsel will be attempting to complete the Brief in order to e-file it on September 2, 2008, it is virtually impossible to have a face to face meeting as Plaintiffs' counsel is in Birmingham and Defense counsel is in Montgomery.

4. The parties hereby respectfully request a (2) two week extension of time in which

to conduct the face to face settlement meeting.

5. Defense counsel Randall Morgan and Will Hancock are in agreement with this Motion.

Respectfully Submitted,

/s/ Richard F. Horsley
Richard F. Horsley (HOR023)
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Gerald Stephens & Eddie Ogletree

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CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed the foregoing with the Clerk of the Court using electronic filing which will send notification of such filing on this the 29th day of August, 2008.

/s/Richard F. Horsley
Richard F. Horsley

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